

(G) support efforts to expand data collection on whale populations, monitor and reduce whale bycatch and other incidental impacts, create a Conservation Committee, and otherwise expand whale conservation efforts;

(2) at the 13th Conference of the Parties to the Convention on International Trade in Endangered Species, the United States should oppose all efforts to reopen international trade in whale meat or downlist any whale population;

(3) the United States should make full use of all appropriate diplomatic mechanisms, relevant international laws and agreements, and other appropriate mechanisms to implement the goals set forth in paragraphs (1) and (2); and

(4) if the Secretary of Commerce certifies to the President, under section 8(a)(2) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)(2)), that nationals of a foreign country are engaging in trade or a taking which diminishes the effectiveness of the Convention, then the United States should take appropriate steps at its disposal pursuant to Federal law to convince such foreign country to cease such trade or taking.

Mr. KERRY. Mr. President, As Ranking Member of the Oceans, Fisheries and Coast Guard Subcommittee of the Committee on Commerce, Science and Transportation, I am pleased to join the Chair of the Subcommittee, Senator SNOWE, in submitting a resolution regarding the policy of the United States at the upcoming 55th Annual Meeting of the International Whaling Commission, IWC. I wish to also thank my colleagues Mr. HOLLINGS, Mr. MCCAIN, Mr. KENNEDY, Mr. AKAKA, Mr. REED, Ms. COLLINS, Mr. DODD, Mr. SMITH, Mr. LEVIN, Mr. CHAFEE, Mr. BIDEN, Mr. CORZINE, Mrs. BOXER, Mr. LAUTENBERG, Mr. COCHRAN, and Mr. LIEBERMAN for cosponsoring as well.

The IWC will meet in Berlin from June 16–19, 2003. The IWC was formed in 1946 under the International Convention for the Regulation of Whaling, in recognition of the fact that whales are highly migratory and that international cooperation is necessary for their preservation. In 1982, due to the severe impacts of whaling on the populations of large whale species, the IWC agreed on an indefinite moratorium on all commercial whaling beginning in 1985.

Whales are already under enormous pressure world wide from collisions with ships, entanglement in fishing gear, coastal pollution, noise emanating from surface vessels and other sources. The need to conserve and protect these magnificent mammals is clear.

Despite the IWC moratorium on commercial whaling, significant whaling has continued. First, pursuant to its reservation to the moratorium, Norway has continued to commercially harvest whales. Second, Japan has been using a provision in the Convention—which allows countries to issue themselves permits for whaling under scientific purposes—to kill whales in the name of science, and later sell the meat commercially. More than 7500 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling

moratorium, and the lethal take of whales under scientific permits has increased both in quantity and species, with species now including minke, Bryde's sei, and sperm whales.

The IWC Scientific Committee has not requested any of the information obtained by killing these whales and has stated that the scientific whaling data obtained through this so-called research is not required for management. Iceland, which joined the IWC last year under questionable legal authority—subject to the condition that it can unilaterally begin commercial whaling after 2006—has recently indicated its intent to lethally hunt hundreds of whales, including endangered species such as fin whales, pursuant to this same scientific whaling exception.

Despite a ban under the Convention on International Trade in Endangered Species, the first international trade of whale meat in 15 years occurred last year between Norway and Iceland, both member countries of the IWC. Reports indicate that Norway is seeking to broaden such trade.

One positive development expected to be addressed at the meeting is a proposal from Mexico to establish a conservation committee under the IWC. Such a committee would strengthen the focus of the IWC on conservation measures that are critically important for the survival of cetaceans.

This resolution calls for the U.S. delegation to the IWC to remain firmly opposed to commercial whaling. In addition, this resolution calls for the U.S. to oppose the lethal taking of whales for scientific purposes unless such lethal taking is specifically authorized by the Scientific Committee of the Commission. It also calls on the U.S. to seek to end the sale of whale meat and blubber from whales killed for unnecessary lethal scientific research to remove this perverse incentive. The resolution calls for the U.S. delegation to support an end to the illegal trade of whale meat and to support the permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited. It further calls on the U.S. to support the establishment of a Conservation Committee, and to otherwise expand whale conservation efforts. Finally, the resolution directs the U.S. to make full use of all appropriate mechanisms to encourage a change in the behavior of other nations which are undermining the protection of these great creatures.

AMENDMENTS SUBMITTED AND PROPOSED

SA 886. Mr. CAMPBELL proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes.

SA 887. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 14, supra; which was ordered to lie on the table.

SA 888. Mr. BAYH (for himself and Mr. LUGAR) submitted an amendment intended

to be proposed by him to the bill S. 824, to reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 889. Mr. MCCAIN proposed an amendment to the bill S. 824, supra.

SA 890. Mr. DORGAN proposed an amendment to the bill S. 824, supra.

SA 891. Mr. REID (for himself and Mr. ENSIGN) proposed an amendment to the bill S. 824, supra.

SA 892. Mr. MCCAIN proposed an amendment to the bill S. 824, supra.

SA 893. Mr. LAUTENBERG (for himself and Mr. JOHNSON) proposed an amendment to the bill S. 824, supra.

SA 894. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 895. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 896. Mr. INHOFE (for himself, Mr. KYL, Mr. THOMAS, Mr. BROWNBACK, Mr. GRASSLEY, Mr. ENZI, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 897. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 898. Mr. COCHRAN (for himself and Mr. BYRD) proposed an amendment to the bill S. 824, to reauthorize the Federal Aviation Administration, and for other purposes.

SA 899. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 900. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 901. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 824, supra; which was ordered to lie on the table.

SA 902. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 48, supporting the goals and ideals of "National Epilepsy Awareness Month" and urging support for epilepsy research and service programs; which was referred to the Committee on the Judiciary.

SA 903. Mr. BUNNING (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 824, to reauthorize the Federal Aviation Administration, and for other purposes.

SA 904. Mr. SPECTER (for himself, Mr. SANTORUM, and Mr. DASCHLE) submitted an amendment intended to be proposed by him to the bill S. 824, supra; which was ordered to lie on the table.

SA 905. Mr. SPECTER (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 824, supra.

SA 906. Mr. BINGAMAN (for himself, Mr. INHOFE, Ms. SNOWE, Mr. JEFFORDS, Ms. COLLINS, Mr. SPECTER, Mr. HARKIN, Mrs. CLINTON, Mr. SCHUMER, Mr. PRYOR, Mr. NELSON, of Nebraska, Mrs. LINCOLN, Mr. GRASSLEY, Mr. HAGEL, and Mr. BROWNBACK) proposed an amendment to the bill S. 824, supra.

SA 907. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 824, supra.

SA 908. Mr. HOLLINGS (for Mr. WYDEN) proposed an amendment to the bill S. 824, supra.

SA 909. Mr. HOLLINGS (for Mr. NELSON, of Florida) proposed an amendment to the bill S. 824, supra.

SA 910. Mr. HOLLINGS (for Mr. JEFFORDS (for himself and Mr. LEAHY)) proposed an amendment to the bill S. 824, supra.

SA 911. Mr. HOLLINGS (for Mr. BAYH (for himself and Mr. LUGAR)) proposed an amendment to the bill S. 824, supra.

SA 912. Mr. HOLLINGS (for Mr. DODD) proposed an amendment to the bill S. 824, *supra*.

SA 913. Mr. THOMAS proposed an amendment to the bill S. 824, *supra*.

SA 914. Mr. LOTT proposed an amendment to amendment SA 905 submitted by Mr. SPECTER (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. DAYTON) to the bill S. 824, *supra*.

SA 915. Mr. SPECTER (for himself and Mr. SANTORUM) proposed an amendment to the bill S. 824, *supra*.

SA 916. Mr. HOLLINGS proposed an amendment to the bill S. 824, *supra*.

SA 917. Mr. HOLLINGS (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 824, *supra*.

SA 918. Mr. HOLLINGS (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 824, *supra*.

SA 919. Mr. HOLLINGS (for Mr. INOUE) proposed an amendment to the bill S. 824, *supra*.

SA 920. Mr. STEVENS proposed an amendment to the bill S. 824, *supra*.

SA 921. Mr. HOLLINGS (for Mr. HARKIN (for himself, Mr. INHOFE, and Mr. GRASSLEY)) proposed an amendment to the bill S. 824, *supra*.

SA 922. Mr. MCCAIN (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) proposed an amendment to the bill S. 824, *supra*.

SA 923. Mr. STEVENS proposed an amendment to the bill S. 824, *supra*.

SA 924. Mr. MCCONNELL (for Mrs. LINCOLN) proposed an amendment to the concurrent resolution S. Con. Res. 48, supporting the goals and ideals of "National Epilepsy Awareness Month" and urging support for epilepsy research and service programs.

SA 925. Mr. MCCONNELL (for Mrs. LINCOLN) proposed an amendment to the concurrent resolution S. Con. Res. 48, *supra*.

SA 926. Mr. MCCONNELL (for Mrs. LINCOLN) proposed an amendment to the concurrent resolution S. Con. Res. 48, *supra*.

TEXT OF AMENDMENTS

SA 886. Mr. CAMPBELL proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

Page 101, strike line 1 and all that follows through page 128, line 24, and insert:

"(4) electrify Indian tribal land and the homes of tribal members."

(b) CONFORMING AMENDMENTS.—

(1) The table of contents of the Department of Energy Organization Act (42 U.S.C. prec. 7101) is amended—

(A) in the item relating to section 209, by striking "Section" and inserting "Sec."; and

(B) by striking the items relating to sections 213 through 216 and inserting the following:

"Sec. 213. Establishment of policy for National Nuclear Security Administration.

"Sec. 214. Establishment of security, counterintelligence, and intelligence policies.

"Sec. 215. Office of Counterintelligence.

"Sec. 216. Office of Intelligence.

"Sec. 217. Office of Indian Energy Policy and Programs.

(2) Section 5315 of title 5, United States Code, is amended by inserting "Director, Office of Indian Energy Policy and Programs, Department of Energy." after "Inspector General, Department of Energy."

SEC. 303. INDIAN ENERGY.

(a) Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended to read as follows:

"TITLE XXVI—INDIAN ENERGY

"SEC. 2601. DEFINITIONS.

"For purposes of this title:

"(1) The term 'Director' means the Director of the Office of Indian Energy Policy and Programs, Department of Energy.

"(2) The term 'Indian land' means—

"(A) any land located within the boundaries of an Indian reservation, pueblo, or rancheria;

"(B) any land not located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held—

"(i) in trust by the United States for the benefit of an Indian tribe;

"(ii) by an Indian tribe, subject to restriction by the United States against alienation; or

"(iii) by a dependent Indian community; and

"(C) land conveyed to a Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

"(3) The term 'Indian reservation' includes—

"(A) an Indian reservation in existence in any State or States as of the date of enactment of this paragraph;

"(B) a public domain Indian allotment.

"(C) a former reservation in the State of Oklahoma;

"(D) a parcel of land owned by a Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

"(E) a dependent Indian community located within the borders of the United States, regardless of whether the community is located—

"(i) on original or acquired territory of the community; or

"(ii) within or outside the boundaries of any particular State.

"(4) The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(5) The term 'Native Corporation' has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

"(6) The term 'organization' means a partnership, joint venture, limited liability company, or other unincorporated association or entity that is established to develop Indian energy resources.

"(7) The term 'Program' means the Indian energy resource development program established under section 2602(a).

"(8) The term 'Secretary' means the Secretary of Interior.

"(9) The term 'tribal energy resource development organization' means an organization of 2 or more entities, at least 1 of which is an Indian tribe, that has the written consent of the governing bodies of all Indian tribes participating in the organization to apply for a grant, loan, or other guarantee authorized by sections 2602 or 2603 of this title.

"(10) The term 'tribal land' means any land or interests in land owned by any Indian tribe, band nation, pueblo, community, rancheria, colony or other group, title to which is held in trust by the United States or which is subject to a restriction against alienation imposed by the United States.

"(11) The term 'vertical integration of energy resources' means any project or activity that promotes the location and operation of a facility (including any pipeline, gathering system, transportation system or facility, or electric transmission facility) on or near Indian land to process, refine, generate electricity from, or otherwise develop energy resources on, Indian land.

"SEC. 2602. INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.

"(a) DEPARTMENT OF THE INTERIOR PROGRAM.—

"(1) To assist Indian tribes in the development of energy resources and further the

goal of Indian self-determination, the Secretary shall establish and implement an Indian energy resource development program to assist Indian tribes and tribal energy resource development organizations in achieving the purposes of this title.

"(2) In carrying out the Program, the Secretary shall—

"(A) provide development grants to Indian tribes and tribal energy resource development organizations for use in developing or obtaining the managerial and technical capacity needed to develop energy resources on Indian land, and to properly account for resulting energy production and revenues;

"(B) provide grants to Indian tribes and tribal energy resource development organizations for use in carrying out projects to promote the vertical integration of energy resources, and to process, use, or develop those energy resources, on Indian land; and

"(C) provide low-interest loans to Indian tribes and tribal energy resource development organizations for use in the promotion of energy resource development and vertical integration or energy resources on Indian land.

"(3) There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2004 through 2014.

"(b) INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE.—

"(1) The Director shall establish programs to assist Indian tribes in meeting energy education, research and development, planning, and management needs.

"(2) In carrying out this section, the Director may provide grants, on a competitive basis, to an Indian tribe or tribal energy resource development organization for use in carrying out—

"(A) energy, energy efficiency, and energy conservation programs;

"(B) studies and other activities supporting tribal acquisitions of energy supplies, services, and facilities.

"(C) planning, construction, development, operation maintenance, and improvement of tribal electrical generation, transmission, and distribution facilities located on Indian land; and

"(D) development, construction, and interconnection of electric power transmission facilities located on Indian land with other electric transmission facilities.

"(3)(A) The Director may develop, in consultation with Indian tribes, a formula for providing grants under this section.

"(B) In providing a grant under this subsection, the Director shall give priority to an application received from an Indian tribe with inadequate electric service (as determined by the Director).

"(4) The Secretary of Energy may promulgate such regulations as necessary to carry out this subsection.

"(5) There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2004 through 2011.

"(c) LOAN GUARANTEE PROGRAM.—

"(1) Subject to paragraph (3), the Secretary of Energy may provide loan guarantees (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) for not more than 90 percent of the unpaid principal and interest due on any loan made to any Indian tribe for energy development.

"(2) A loan guarantee under this subsection shall be made by—

"(A) a financial institution subject to examination by the Secretary of Energy; or

"(B) an Indian tribe, from funds of the Indian tribe.

"(3) The aggregate outstanding amount guaranteed by the Secretary of Energy at any time under this subsection shall not exceed \$2,000,000,000.